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TO : The Secretary  
FROM : IFR - Thomas L. Hughes

INTELLIGENCE NOTE: SIGNIFICANCE OF SOVIET-EAST GERMAN ACTIONS IN BERLIN

Real Aim of Border Controls. The Soviet-East German closing of the sector boundary between East and West Berlin has two aims. The most immediate and obvious is to halt an embarrassing refugee flow. The second, and ultimately far more significant, however, is the assertion of East German sovereignty over East Berlin.

The East Germans have long had it within their power to stop the refugee flow by various control measures. Undertaken outside the Berlin area, such measures would have been less dramatic and have required somewhat longer to be fully effective. They would not, however, have presented a challenge to the Allied position in Berlin.

Tanks to Establish a Principle. The ban on East German travel to West Berlin was implemented with a show of force which not only was designed to discourage any disturbances but also had the effect of establishing the principle of the de facto incorporation of East Berlin into East Germany and the right of the GDR army to be stationed in East Berlin. The East German army, tanks, paramilitary groups, etc., were all utilized.

Move Toward Incorporation of East Berlin in GDR. All orders and regulations connected with the new control measures in Berlin are being issued by the GDR, not by the East Berlin Government. Over the years the USSR has been careful to maintain the legal distinction between East Berlin and East

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been careful to maintain the legal distinction between East Berlin and East Germany. Despite protests and pressures against the Allies and West Berliners (for example, marching the East German army through East Berlin on May Day), the presence of the GDR army was never flaunted in the city. All East Berlin legislation was kept distinct from GDR legislation; the latter became effective in East Berlin only by a cover law formula similar to that used in West Berlin for FRG laws. Only on rare occasions did GDR regulations ipso facto have validity in East Berlin -- the September 8, 1960, decree was one, and it was allowed to lapse because of the consequences it incurred.

Refugee Camouflage for a Change in Status? Although careful to assert no infringement of Western Allied rights in Berlin, the USSR has to all intents and purposes now turned over military control of East Berlin to the East Germans, and East German troops are manning the sector controls in direct violation of four power agreement. By taking action under cover of publicity on the refugee movement, the bloc camouflages the vital element of its move -- the change in the status of East Berlin. This change is to be accomplished by a show of force which the Western Allies are expected to protest but also to learn to live with. The Soviet maneuver is thus well calculated to achieve two important Moscow aims: an end to the refugee flow and replacement of four-power responsibility by East German control over East Berlin. To the extent that the maneuver is not successfully challenged, it strengthens Moscow's hand vis-a-vis the West on the Berlin question.

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